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Greene et al.
09/977,716
October 15, 2001



REMARKS

Claims 1-14 are pending in the instant applications. Claims 1-14 have been subjected to restriction as follows:

Group I, claim 1, drawn to a method for detecting molecules expressing a selected epitope via the amplified oligonucleotide, classified in class 435, subclass 91.2;

Group II, claims 2-3 and 5-6, drawn to a kit for performing the methods in Groups I and III, classified in class 435, subclass 810;

Group III, claim 4, drawn to a method for profiling proteins in a cell lysate via RNA amplification, classified in class 435, subclass 92.51;

Group IV, claims 7-8, drawn to a method for developing a two-component system for monitoring interaction of molecules in vitro via the amplified oligonucleotide, classified in class 435, subclass 91.51;

Group V, claims 9-10, drawn to a method of monitoring interaction of molecules in vitro, classified in class 435, subclass 91.51;

Group VI, claims 11-12, drawn to a method for identifying a CDR for use in an epitope detector or a therapeutic agent, classified in class 435, subclass 7.1; and

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Group VII, claims 13-14, drawn to a therapeutic agent, classified in class 424, subclass 130.1.

The Examiner has acknowledged Groups VII, II and I, III-VI to be related as product and process of use.

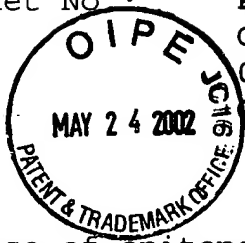
However, the Examiner suggests that the Groups are distinct because the product claim of Group VII drawn to a therapeutic agent can also be used for protein purification and because the product claim of Group II drawn to a kit can be used to perform methods of Group I and III. The Examiner also suggests that Groups I and VII are distinct because the different product groups have different components.

With respect to Groups I, III and IV-VI, the Examiner suggest that the groups are unrelated because they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects.

Applicants respectfully traverse this restriction requirement.

In order for a restriction requirement to be proper, two criteria must be met (MPEP § 803). First, the inventions must be independent and distinct as claimed. Second, there must be a serious burden on the Examiner if the invention is not restricted. Clearly, a proper search of the method of Group I

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relating to use of epitope detectors in the detection of molecules expressing selected epitopes, would also reveal any art relating to kits for use of this method, additional uses for the method in profiling of proteins and developing and using systems for monitoring interaction of molecules, and methods for identifying components such as the epitope detectors used in the method. Therefore, there would not be a serious burden on the Examiner if this restriction were not made. Accordingly, this restriction requirement does not meet both criteria as set forth in MPEP § 803 to be proper and withdrawal is respectfully requested.

However, in an earnest effort to be completely responsive, Applicants elect Group I, claim 1, with traverse.

Respectfully submitted,

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